(4)

PAGE NO. 1

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 942 /2002

WRIT PETITION UNDER ARTICLES 226 READ WITH ARTICLE 227 OF THE CONSTITUTION OF INDIA.

PETITIONERS

1) DR. R.K. VERMA, S/O. LATE R.K. VERMA, AGED ABOUT 59 YEARS, PRESIDENT CHHATTISGARH CHIKITSA ADHIKARI SANGH, RAJKISHORE NAGAR, BILASPUR (CHHATTISGARH)

P.R. No. 966/02
Presented by Shri ...
dated ... 07-06-02

2) DR. K.K. SAO, S/O. LAGE K.R. SAO, AGED ABOUT 51 YEARS, SECRETARY CHHATTISGARH, CHIKITSA ADHIKARI SANGH, RAIPUR, SEEPAT CHOWK BILASPUR (CHHATTISGARH)

VERSUS

RESPONDENTS

1) THE CHIEF SECRETARY, STATE OF CHHATTISGARH, D.K.S. BHAWAN, RAIPUR (CHHATTISGARH)

2) THE STATE OF CHHATTISGARH THROUGH THE SECRETARY, GOVERNMENT OF CHHATTISGARH, PUBLIC HEALTH AND FAMILY WELFARE DEPARTMENT MANTRALAYA, D.K.S. BHAWAN, RAIPUR (CHHATTISGARH)

3) THE DIRECTOR OF HEALTH SERVICES STATE OF CHHATTISGARH D.K.S BHAWAN, RAIPUR (CHHATTISGARH)

FREE COPY
REF. TO A.G. BILASPUR

01) PARTICULARS OF THE PETITIONERS:

As given in the cause title.

XL-HC-22

(75)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

भामला क्रमांक WP No 942/02 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	22-07-2002	

Shri R.N. Jha with Mrs. Hamida Siddique, counsel for the petitioners.

Shri Sanjay Kumar Agrawal, Deputy Govt. Advocate for the State/respondent No.2.

Having heard learned counsel, the Court is not inclined to entertain this writ petition as in its opinion, the appropriate forum for the petitioner to approach is the State Administrative Tribunal.

Admittedly, the petitioners are Government servants and have approached this Court as office bearers of Chhattisgarh Chikitsa Adhikari Sangh, Raipur, raising a grievance about posting/non-posting of medical officers to certain specified posts. In substance, the grievance of the petitioners relates to service conditions. In support of their contention, a reference was made to Annexure P – 7, which is a copy of the order passed by the M.P. High Court, as it is submitted in a similar matter. However, the Court is not inclined to take that as a precedent for the purpose of entertaining this petition wherein the subject matter of dispute is not within jurisdiction in view of the provisions contained in Section 15 of the Administrative Tribunals Act, 1985, which fact was over looked in Annexure P – 7. However, if so advised, the petitioners are free to approach the appropriate forum.

Accordingly, the petition fails and is dismissed.

Sd/-
P. C. Naik
Judge

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